**MATERIALS** 



Case 1:17-cv-00031-MAC	Document 1-2	Filed 01/23/17	Page 2 of 43 PageID #: 7
------------------------	--------------	----------------	--------------------------

31-MAC	Document 1-	-2 Filed 01/23/17	Page 2 of 43 PageID #: 7
			E-0199330- VS ROMEO  DATE OF ORDERS
			ROMEO TRUCKING LLC
	I CE		NO ATTORNEY AT THIS TIME DEFT  ORDERS OF THE COURT
JAN 2 3 2017  JAN 2 3 2017  JAN 2 3 2017	I CERTIFY THIS IS A TRUE COPY Witness my Hend and Seal of Office		PERSONAL INJURY INV DISPOSITION DATE
LERK	E COPY of Office		12/03/2016 12/03/2016 12/03/2016 40.00 12/05/: PROCES
Silling.			2016 DATE 12/05/16 PROCESS

CASE NO. E-0199330-

CIVIL DOCKET, DISTRICT COURT

PAGE OF 1 E-FILE: 12/03/16 TO CURRENT

CITATION	1/06/17 E-0199330- LILES, WILLIAM R	12/29/16 E-0199330- LILES, WILLIAM R CITATION (RETURN) CITATION (RETURN)		12/05/16 E-0199330- LILES, WILLIAM R CITATION CITATION CITATION	Date Cause No. Name Instrument 12/03/16 E-0199330- LILES, WILLIAM R PETITION (PLAINTIFF'S ORIGINAL) APPLICATION (JURY TRIAL/JURY DEMAND) CIVIL PROCESS FORM CASE INFORMATION SHEET	Case Number: E-0199330- Filed: 12/03/16 Plaintiff: DONNA KELLAMS VS Defendent: ROMEO TRUCKING LLC ET AL
OUTSIDE SERVICE			RECORDS MANAGEMENT RECORDS ARCHIVE FEE COUNTY FILING FEE STATE FILING FEE LIBRARY FEE MEDIATION CENTER FEE STENO SECURITY FEE INDIGENT FEE JUDICIAL SUPPORT APPELLATE JUDICIAL SYSTEM ELECTRONIC FILING FEE COURT RECORD PRESERVATION JURY COPIES	DISTRICT CLERK SERVICE CHARGE MAILING SERVICE DISTRICT CLERK SERVICE CHARGE	Debit Description	Filed: 12/03/16 Case Type: PERSONAL INJURY INVOLVING MOTOR VEHICLE AMNS Plaintiff Attorney: LILES, EXING LLC ET AL Defendent Attorney: NO ATT
.00 00	.00 00	.00	372.66+ B 0365652 10.00- 10.00- 50.00- 50.00- 10.00- 15.00- 15.00- 15.00- 50.00- 10.00- 30.00- 30.00- 36.00-	16.00- 2.66- 16.00-	Credit Amount/ Receipt No/ Debit Amount Balance .00 .00 .00 .00	RY INVOLVING MOTOR VEHICLE Status: PENDING  Plaintiff Attorney: LILES, WILLIAM R  Defendent Attorney: NO ATTORNEY AT THIS TIME

Job Name: CML106
Page: 1

DCKOHLER

\*\*\* CASE LEDGER \*\*\*

Date Run: 1/23/17 Time Run: 13:33:14

I CERTIFY THIS IS A TRUE COPY Witness my Hend and Seal of Office

H, DISTRICT CLERK

FILED

DISTRICT CLERK OF **JEFFERSON CO TEXAS** 12/3/2016 8:40:51 AM **JAMIE SMITH** DISTRICT CLERK CAUSE NO. E-199330 DONNA KELLAMS, IN THE DISTRICT COURT OF Plaintiff, VS. JEFFERSON COUNTY, TEXAS ROMEO TRUCKING LLC and ERIC BORDELON, JUDICIAL DISTRICT Defendants.

#### PLAINTIFF'S ORIGINAL PETITION

COMES NOW, Donna Kellams, Plaintiff, in the above-styled and numbered cause of action, complaining of Defendants Romeo Trucking LLC and Eric Bordelon, and in support thereof, Plaintiff shows the Court as follows:

### I. DISCOVERY CONTROL PLAN

1.1 Pursuant to Texas Rule of Civil Procedure 190.3, Plaintiff intends to conduct discovery in this case under a Level 3 Discovery Control Plan.

### II. PARTIES

- 2.1 Plaintiff Donna Kellams ("Plaintiff") is a resident citizen of Beaumont, Jefferson County, Texas.
- 2.2 Defendant Romeo Trucking LLC (hereinafter referred to as "Defendant Romeo") is a foreign limited liability company authorized to do business in the State of Texas. This action arises out of a wreck involving a truck driver who was driving on behalf of Defendant Romeo, a motor carrier with its principal office in Louisiana; therefore, service upon Defendant Romeo may be made pursuant to Texas Civil Practice and Remedies Code §§ 17.061 17.069. Process should be served on Defendant Romeo by serving Tryon D. Lewis, Chairman of the Texas Transport and Scalar Transport and Texas Tryon D. Lewis, Texas, 78701-2483, to be forwarded to

January 23, 2017

JAMIE SMITH, DISTRICT CLERK

JEFFERSON COUNTY, TEXAS

Page 1 of 8

Case 1:17-cv-00031-MAC Document 1-2 Filed 01/23/17 Page 5 of 43 PageID #: 10

the last known address for Defendant Romeo at 1516 Clover Drive, Lake Charles, Louisiana

2.3 Defendant Eric Bordelon ("Defendant Bordelon") is a person who is nonresident

of Texas. Pursuant to Texas Civil Practices and Remedies Code 17.061, the Chair of the Texas

Transportation Commission is the agent for service of process on a person who is a nonresident

of Texas in any suit against a person involved in an accident that occurred while operating a

motor vehicle on a public highway or street in this state. Defendant may be served with process,

in person, or mailing by registered or certified mail, return receipt requested, a true copy of the

citation and petition to: Tyron D. Lewis, Chairman, Texas Transportation Commission, 125 E.

11th Street, Austin, TX 78701-2483, who shall forward documents to Eric Bordelon at 3901

Harvard Street, Lake Charles, Louisiana 70607.

III. JURISDICTION & VENUE

3.1 The Court has jurisdiction in this cause since the damages to Plaintiff are within

the jurisdictional limits of the Court.

70607.

Pursuant to sections 15.001 and 15.002(a)(1) of the Texas Civil Practice and

Remedies Code, this venue is proper because all, or a substantial part, of the events or omissions

giving rise to the claim occurred in Jefferson County, Texas. The venue is also proper because it

best serves the convenience of the parties and witnesses, as well as the interests of justice.

3.3 Plaintiff has satisfied all conditions precedent to bringing this lawsuit.

Nothing Plaintiff did caused or contributed to this occurrence.

Plaintiff seeks monetary relief over \$200,000, but not more than \$1,000,000.

JAMIE S
JEFFER

I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

January 23, 2017

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

James Smith Page 2 of 8

2

Case 1:17-cv-00031-MAC Document 1-2 Filed 01/23/17 Page 6 of 43 PageID #: 11

### IV. <u>FACTS</u>

4.1 On or about July 24, 2015, Plaintiff was traveling southbound in the 900 block of Interstate 10 S Service Road entering the intersection in the 3900 block of College Street on a green light. Defendant Bordelon was traveling eastbound in the 3900 block of College Street entering the intersection of the 900 block of Interstate 10 S Service Road and College Street when he disregarded the stop and go signal, ran the red light and collided with Plaintiff. Defendant Bordelon received a citation for disregarding a red light. Defendant Bordelon was operating a tractor in the course and scope of his employment with Defendant Romeo under its operating authority and under its DOT #2520263. The collision proximately caused Plaintiff to suffer severe and painful personal injuries.

### V. NEGLIGENCE OF ROMEO TRUCKING LLC

- 5.1 At all times material to this lawsuit, Defendant Bordelon was an employee of Defendant Romeo and was acting within the course and scope of his employment with Defendant Romeo. Consequently, Defendant Romeo is vicariously liable to Plaintiff for the negligent conduct of Defendant Bordelon, under the theory of *respondeat superior*.
- 5.2 Further, the independent conduct of Defendant Romeo constitutes negligence as that term is known in law. Such negligent acts or omissions include, but are not limited to the following:
  - a. allowing Defendant Bordelon to operate its vehicle even though it knew or should have known he was a reckless or incompetent driver;
  - b. entrusting a vehicle to Defendant Bordelon even though it knew or should have known he was a reckless or incompetent driver;
  - c. failing to properly train Defendant Bordelon in the safe operation of a motor vehicle;



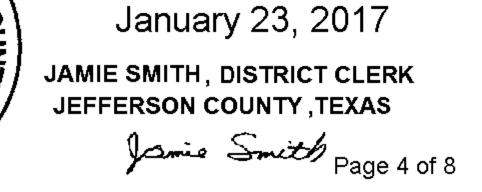
- d. retaining Defendant Bordelon after it knew or should have known that he was a reckless or incompetent driver;
- e. failing to properly maintain the vehicle in a safe operational condition;
- f. failing to maintain the vehicle to the minimal standard of safety;
- g. failing to establish and enforce safety rules and regulations;
- h. failing to properly educate, instruct, and supervise the performance of Defendant Bordelon' duties;
- i. failing to provide proper safety manuals and instructions to employees responsible for safety;
- j. failing to enforce and ensure compliance of established safety and operational rules and regulations for persons operating its equipment;
- k. failing to comply with the Federal Motor Carrier Safety Administration's Rules and Regulations, and/or
- l. other acts of negligence and negligence per se.

One, some, or all of the foregoing acts and/or omissions or others on the part of Defendant Romeo constituted negligence and such negligence was a proximate cause of the occurrence of Plaintiff's injuries and damages.

5.3 Plaintiff would show this Court that the harm Plaintiff suffered is the type of harm which the above-referenced statutes are intended to prevent. Plaintiff would also show this Court that Plaintiff was a member of the class of persons in which the above-referenced statutes was enacted to protect. Such violations amount to *negligence per se* and is the proximate cause of the occurrence in question.

#### VI. NEGLIGENCE OF DEFENDANT BORDELON

The collision made the basis of this lawsuit resulted from the improper conduct of Defendant Bordelon. The conduct of Defendant Bordelon constituted negligence as that term is unders to the conduct was a proximate cause of the occurrence, injuries



Case 1:17-cv-00031-MAC Document 1-2 Filed 01/23/17 Page 8 of 43 PageID #: 13

and damages to Plaintiff. Defendant Bordelon's negligent actions or omissions include, but are not limited to, one or more of the following non-exclusive particulars:

- a. failing to timely apply the brakes;
- b. failing to maintain a proper lookout;
- c. failing to obey a traffic control device;
- d. failing to maintain proper control of defendant's vehicle;
- e. failing to turn the vehicle to avoid the collision;
- f. failing to avoid the incident in question;
- g. driving defendant Bordelon's vehicle at a rate of speed greater than that at which an ordinarily prudent person would have driven under the same or similar circumstances;
- h. failing to operate his vehicle in a safe manner; and
- i. failing to operate his vehicle as a person of ordinary prudence would have in the same or similar circumstance.

The foregoing acts and/or omissions on the part of this Defendant constituted negligence and such negligence was a proximate cause of the occurrence of Plaintiff's injuries and damages.

#### VII. <u>DAMAGES</u>

- 7.1 As a result of the incident made the basis of this lawsuit described in the preceding paragraphs and the negligence of Defendants, Plaintiff sustained significant injuries and damages in the past and will, in reasonable probability, sustain these damages in the future.
- 7.2 Plaintiff respectfully requests that the trier of fact determine the amount of his damages and losses that he has incurred in the past and will reasonably incur in the future, as well as the monetary value of these damages, which include, but are not limited to:
  - a. past and future physical pain and suffering and mental anguish;



CERTIFY THIS IS ATRUE CORY STIGUTEMENT; Witness my Hand and Sear of Office Sfigurement;

January 23, 2017

JAMIE SMITH, DISTRICT CLERK

JEFFERSON COUNTY, TEXAS

Page 5 of 8

Case 1:17-cv-00031-MAC Document 1-2 Filed 01/23/17 Page 9 of 43 PageID #: 14

c. past and future physical impairment;

d. past and future medical care expenses;

e. past and future loss of earnings and earning capacity, and

f. past and future out-of-pocket economic losses.

7.3 Because of all of the above and foregoing, Plaintiff has suffered actual damages in

excess of the minimum jurisdictional limits of the Court for which damages Plaintiff now brings

suit.

7.4 Plaintiff seeks both prejudgment and post judgment interest as allowed by law, for

all costs of court, and all other relief, both in law and in equity, to which he may be entitled.

VIII. PRESERVATION OF EVIDENCE

8.1 Plaintiff hereby requests and demands that each Defendant preserve and maintain

all evidence pertaining to any claim or defense related to the incident made the basis of this

lawsuit, or the damages resulting therefrom, including photographs, videotapes, audiotapes,

recordings, business or medical records; bills; estimates; invoices; checks; measurements;

correspondence; memoranda; files; any item which has been removed from the premises which

was involved in the incident; facsimile; email; voicemail; text messages; investigation; cellular

telephone records; calendar entries; and any electronic image, data, or information related to

Donna Kellams, the referenced incident, or any damages resulting therefrom. Failure to maintain

such items will constitute a spoliation of the evidence.

IX. JURY DEMAND

9.1 Pursuant to Rule 216 of the Texas Rules of Civil Procedure, Plaintiff respectfully

requests and demands a trial by jury.

January 23, 2017

Jamie Smith, District Clerk

Jefferson County, Texas

Page 6 of 8

6

Case 1:17-cv-00031-MAC Document 1-2 Filed 01/23/17 Page 10 of 43 PageID #: 15

### X. REQUEST FOR DISCLOSURE

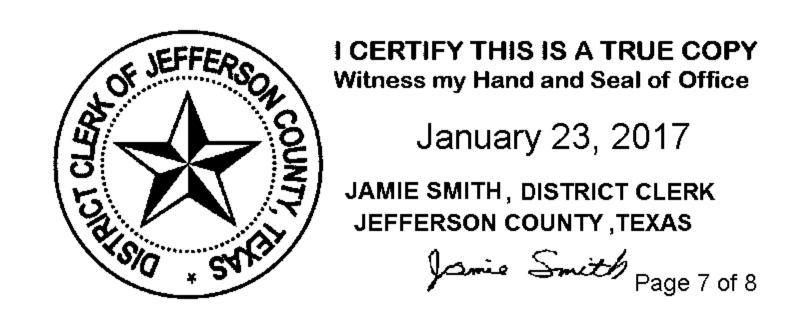
10.1 Pursuant to Rule 194, request is made that each Defendant disclose, within fifty (50) days of service of this Request, the information or material described in Texas Rule of Civil Procedure 194.2(a)–(l). Each Defendant must serve a written response to these Requests for Disclosure on Plaintiff within fifty (50) days after the service of this request. Failure to timely respond shall constitute an abuse of discovery pursuant to Texas Rule of Civil Procedure 215.

### XI. Rule 193.7 Notice

11.1 Pursuant to Rule 193.7 of the Texas Rules of Civil Procedure, Plaintiff hereby gives actual notice to each Defendant that any and all documents produced may be used against the Defendant producing the document at any pretrial proceeding and/or at the trial of this matter without the necessity of authenticating the documents.

### **PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff Donna Kellams prays that Defendants Romero Trucking LLC and Eric Bordelon be cited in terms of law to appear and answer herein, and that upon final trial and hearing hereof, Plaintiff recover damages in accordance with the evidence, costs of Court herein expended, interest allowed under the law, and that Plaintiff be granted such other and further relief, both general and special, at law and in equity, to which Plaintiff may be justly entitled.



### Respectfully submitted,

### JIM S. ADLER & ASSOCIATES

/s/ William R. Liles

WILLIAM R. LILES

State Bar No. 24083395

wliles@iimadler.com

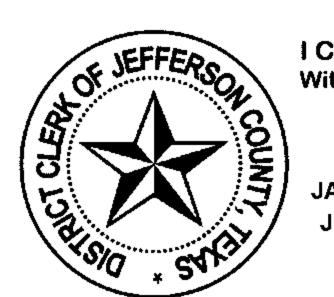
Bank of America

12605 East Freeway, Suite 400

Houston, Texas 77015

Telephone: (713) 451-0001 Facsimile: (713) 335-1100

ATTORNEYS FOR PLAINTIFF



I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

January 23, 2017

JAMIE SMITH, DISTRICT CLERK

JEFFERSON COUNTY, TEXAS

Page 8 of 8

### CIVIL CASE INFORMATION SHEET

**FILED** DISTRICT CLERK OF **JEFFERSON CO TEXAS** COURT (FOR CLERK USE ONLY) AMIE SMITH

CAUSE NUMBER (FOR CLERK USE ONLY): \_

## STYLED DONNA KELLAMS VS. ROMEO TRUCKING LLC AND ERIE 199330 (e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at

the time of filing.	lent pention for modification of mo	don for emorcement is med in a	Tallilly law case. The illion	iauon snouid de me dest avanable at
1. Contact information for person	on completing case information sh	eet: Names of parties in c		son or entity completing sheet is:
Name: William R. Liles	Email: wliles@jimadler.com Donna Kella		s):	orney for Plaintiff/Petitioner  Se Plaintiff/Petitioner le IV-D Agency ner:
Address: 12605 East Freeway Suit 400	Telephone: 713-451-0001	Defendant(s)/Respond	Additi	onal Parties in Child Support Case:
City/State/Zip: Houston, TX 77015  Signature: /s/ William R. Li	Fax: 713-335-1100  State Bar No: 24083395  Les	Romeo Truckir Eric Bordelon ——	ng LLC and Non-C	Custodial Parent:  ned Father:
		[Attach additional page as nec	essary to list all parties]	
2. Indicate case type, or identity	the most important issue in the ca Civil	ase (select only 1):	$oldsymbol{F}$	amily Law
Contract  Consumer/DTPA Debt/Contract Fraud/Misrepresentation Other Debt/Contract:  Foreclosure Home Equity—Expedited Other Foreclosure Franchise Insurance Landlord/Tenant Non-Competition Partnership Other Contract:  Employment  Discrimination Retaliation Termination Workers' Compensation Other Employment:	Injury or Damage  Assault/Battery Construction Defamation Malpractice Accounting Legal Medical Other Professional Liability: Motor Vehicle Accident Premises Product Liability Asbestos/Silica Other Product Liability List Product:  Other Injury or Damage:  Administrative Appeal Antitrust/Unfair Competition Code Violations Foreign Judgment Intellectual Property	Real Property  Eminent Domain/ Condemnation  Partition Quiet Title Trespass to Try Title Other Property:  ——  Related to Criminal Matters  Expunction Judgment Nisi Non-Disclosure Seizure/Forfeiture Writ of Habeas Corpus— Pre-indictment Other: ——  Civil  Lawyer Discipline Perpetuate Testimony Securities/Stock Tortious Interference Other: ———	Marriage Relationship  Annulment  Declare Marriage Void  Divorce  With Children  No Children  No Children  Enforce Foreign  Judgment  Habeas Corpus  Name Change  Protective Order  Removal of Disabilitie of Minority  Other:	Post-judgment Actions (non-Title IV-D)  Enforcement Modification—Custody Modification—Other  Title IV-D  Enforcement/Modification Paternity Reciprocals (UIFSA) Support Order  Parent-Child Relationship  Adoption/Adoption with Termination Child Protection Child Support Custody or Visitation
Tax	Probato/Willa/Intentate Administr	Probate & Me	· · · · · · · · · · · · · · · · · · ·	<del></del>
Tax Appraisal Tax Delinquency Other Tax	Probate/Wills/Intestate Administration Dependent Administration Independent Administration Other Estate Proceedings	n	Guardianship—Adult Guardianship—Minor Mental Health Other:	
Appeal from Municipal or Just Arbitration-related  Attachment Bill of Review Certiorari Class Action	Garnish:  I CERTIFY THIS IS A TRUE COP Witness my Hand and Sell-becoffic  January 23 20 17 Post-jud  JAMIE SMITH, DISTRICT CLERK  1864 Selege Here & Mandan (1974)  JAMIE SMITH, DISTRICT CLERK  1864 Selege Here & Mandan (1974)  1865 Selege Here	tory Judgment ment ader e nus lgment	Prejudgment I Protective Ord Receiver Sequestration Temporary Re Turnover	der

Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees

Less than \$100,000 and non-monetary relief

Over \$100, 000 but not more than \$200,000

Over \$200,000 but not more than \$1,000,000

Over \$1,000,000

Rev 2/13



I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

January 23, 2017

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith Page 2 of 2

Case 1:17-cv-00031-MAC Document 1-2 Filed 01/23/17 Page 16 of 43 PageID #: 21

# JAMIE SMITH JEFFERSON COUNTY DISTRICT CLERK E 1085 PEARL STREET, ROOM 203, BEAUMONT,TX 77701

FILED
DISTRICT CLERK OF
JEFFERSON CO TEXAS
12/3/2016 8:40:51 AM
JAMIE SMITH
DISTRICT CLERK
E-199330

### REQUEST FOR PROCESS

All sections must be completed for processing this request.

Section 1: Cause No:		Date December 2, 2016	
Style:	AND	· 我就可以就好事。我就好你只是我们的我们的人们的人们的人们的人们的人们的人们的人们的人们的人们的人们的人们的人们的人们	
Donna Kellams			
VS			
Romeo Trucking LLC and	d Eric Bordelon		
Section 2:			
Check Process Type:	N		
- <b>*</b>	Serve / Notice of Hearing/Noti	ce to Show Cause	
<b>A.</b> - <b>3</b>	rder Order / Temporary (Ex Parte) Foreign Judgment □ Citation		
□ Writ of	□ Other		
□Citation by Publication*-			
□Cneck box if you would like to per pleading for copies for se		copies for your service. (\$1.00 per page	
Section 3: Title of Document/Ple	ading to be attached for	service: Plaintiff's Original Petition	
Note: You r	nust furnish <u>one copy</u> of the d	ocument/pleading for <u>each</u> party served.	
Section 4: PARTIES TO BE	E SERVED (Please type o	or print):	
1.Name: Romeo Tr	ucking LLC by and thro	ugh Tryon D. Lewis, chairman of the Texa	as
Transporta	ation Commission, 125 E	. 11st Street, Austin, Texas 78701 and the LC at 1516 Clover Drive, Lake Charles,	n to
be forward	led to Romeo Trucking L	LC at 1516 Clover Drive, Lake Charles,	
	70607		
2.Name: Eric Borde	elon by and through Tryo	on D. Lewis, chairman of the Texas	
	rije in de rije in in de de rije de rije de de de de rije de de rije in de	against the proceedings of the first of the first and a second of the first of the first and the first and a second of the first and the first	n to
Address: be forward City: Louisiana	led to Romeo Trucking I 70607 State:	. 11st Street, Austin, Texas 78701 and the LC at 3901 Harvard Street, Lake Charles, Zip:	
Louisiana			



I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

January 23, 2017

JAMIE SMITH, DISTRICT CLERK

JEFFERSON COUNTY, TEXAS

Page 1 of 2

3. Name.	an in a minimient in international in international in international international international international	
Address:	majo acontei cinaini in jangakajampu onaic	
CIV	Sta	ate. Zip.
4. Name:	<del>energia industria in planis ad pias in e</del> nergia	
Address		
City:	Sta	ate: Zip:
5. Name:	ing in the state of	
Address:		
City:	Sta	ate: Zip:
Section 5		
Check Service Type:		
□ No Service		Secretary of State
Sheriff		Commissioner of Insurance
☐ Constable Pct.		Out of County
□ Out of State	X	Private Process   Other
Certified Mail		
Section 6 (ONLY if Section 7 does not apply)  Attorney Name: William R. Liles		
Address: 12605 East Freeway, Suite 400	<del>mpiologica de la cologica de la col</del>	
	Street/I	PO Box Texas 77015
Houston City	interpretation in the second s	Texas 77015 State Zip
Attorney's Telephone No. 713.335.1022		_Attorney's Bar No. 24083395
Section 7 (ONLY if Section 6 does not apply)  Pro-Se Name:		
Address:		
	ing paggang ang mangkang paggang ang mangkang paggang paggang paggang paggang paggang paggang paggang paggang	
City	interiories.	State Zip
Telephone No.		
Section 8		
Check Delivery Type:		
Hold for pick up  Mail to Attorn		
at 713 33 Page 2 of 2  Process Service of Mitness my Hamband Seal of Office will I an I	pick u	p the citations when ready. Please call Julie

Jefferson County
District Clerk's Office

1085 Pearl Street Room 203 Beaumont, TX 77701 409-835-8580 Fax 409-835-8527



JAMIE SMITH District Clerk

April 23, 2015

Family Law Division

409-835-8653

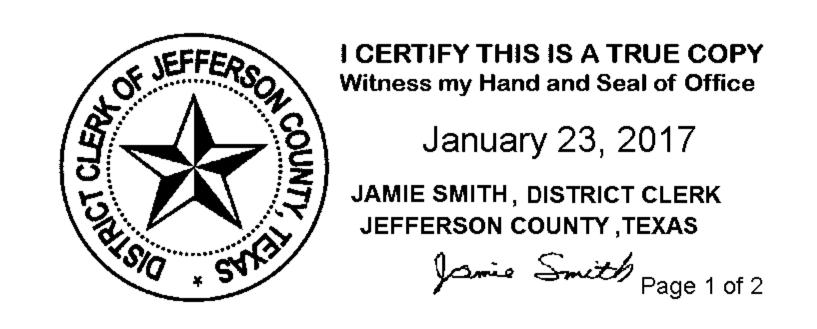
Child Support
P. O. Box 3586
Beaumont, TX 77704
409-835-8425

In 2015 the Jefferson County District Clerks office filed a Declaration of Compliance with the Texas State Library and Archives Commission.

As records management officer for the local government or elective county office named, I hereby declare, that in lieu of filing records control schedules, we have adopted records control schedules that comply with minimum requirements established on records retention schedules issued by the Texas State Library and Archives Commission for use in our records management program. In doing so, I also certify that the administrative rules for electronic records, adopted by the commission under Local Government Code 205.003(a) will be followed for records subject to the rules.

A copy of the accepted Declaration of compliance is attached.

Jamie Smith



Declaration of Compliance

with the Records Scheduling Requirement of the Local Government Records Act Submitted pursuant to Local Government Code §203.041(a)(2)

Section 1 SUBMISSION OF DATA	
Texas  1. Government:	son County
State Library 2. Address: 1085 Peacl	Street Rin #203
and Archives Commission  City: Beaumont	ZIP code: 77701
Commission  3. Telephone: 409-735-85184	Email (optional): ismithe conference +x, 4
Section 2 LOCAL GOVERNMENT CERTIFICATION	1
retention schedules issued by the Texas State Library and Amanagement program. In doing so, I also certify that the administ Local Government Code §205.003(a) will be followed for records so the validity of this declaration is contingent on its acceptant if we have previously filed documentation with the commandation permanently, we must attach amended documentation to the records retention schedules adopted by this declarate Control Schedule Amendment (SLR 520) on which are schedules issued by the commission (as checked below); if a supplemental Records Control Schedule Amendment	nce for filing by the commission; commission in which we declared our intent to retain all records this declaration before it can be accepted for filing; tion may be amended by filing for approval a supplemental Records listed proposed retention periods for records that do not appear on the not filed, we must file a Request for Authorization to Destroy ords that do not appear on schedules issued by the commission (as
	omply with the following schedules issued by the commission:
Schedule CC (Records of County Clerks)	☐ Schedule LC (Records of Justice and Municipal Courts)
Schedule DC (Records of District Clerks)	☐ Schedule PS (Records of Public Safety Agencies)
Schedule EL (Records of Elections and Voter Registration)	☐ Schedule PW (Records of Public Works and Services)
Schedule GR (Records Common to Ali Governments)	Schedule SD (Records of Public School Districts)
☐ Schedule HR (Records of Public Health Agencies)	Schedule TX (Records of Property Taxation)
☐ Schedule JC (Records of Public Junior Colleges)	Schedule UT (Records of Utility Services)
are superseded by this declaration.  are not superseded by this declaration. I understand that in the	e event of a conflict between the previously filed records control
of differential and the scriedules adopted by this d	reclaration, the longer retention period shall apply.
Name and Title: An bom on the Jette	son County District Clerk
Signature:   Cinic Smith	Date: 1/27/2015
Section 3 TEXAS STATE LIBRARY ACCEPTANCE (	to be completed by Texas State Library)
This Declaration of Compliance has been accented for filing nursuan	nt to Local Government Code §203.043(a). A record appearing on a
Name and Title:	MGMT ASSISTANCE 9203.041(0)
Signature:	Date: 00/23/15
Texas State Library and Archives Commission Box 12927 State and Local Records Management Division Austin, Texas 7871	J1274107/D1U

512-936-2306 FAX

I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

January 23, 2017

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Jamie Smith Page 2 of 2

SLR 508 (5/12)

RECEIPT 1301Rv-00031-MACED 11-2 Filed 01/23/17 Page 22 of 43 PageID #: 27

E-FILING

Cause No: E-0199330 Date: 12/05/16 Receipt No: 365652

Style: DONNA KELLAMS

vs ROMEO TRUCKING LLC ET AL

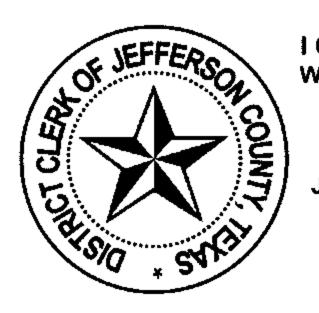
Paid By: LYLES, WILLIAM

Amt Paid: 372.66 EFILE014097612-1 Bal Due:

10.00	RECORDS MANAGEMENT	10.00	COURT RECORD PRESERVATIO
10.00	RECORDS ARCHIVE FEE	40.00	JURY
50.00	COUNTY FILING FEE	36.00	COPIES
50.00	STATE FILING FEE		
10.00	LIBRARY FEE		
15.00	MEDIATION CENTER FEE		
15.00	STENO		
5.00	SECURITY FEE		
10.00	INDIGENT FEE		
42.00	JUDICIAL SUPPORT		
5.00	APPELLATE JUDICIAL SYSTE		
30.00	ELECTRONIC FILING FEE		

JAMIE SMITH, CLERK DISTRICT COURTS Jefferson County, Texas

By:	
ODBC	Deputy



I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

January 23, 2017

JAMIE SMITH, DISTRICT CLERK

JEFFERSON COUNTY, TEXAS

Page 1 of 1

### THE STATE OF TEXAS

No. E-0199330

## DONNA KELLAMS VS. ROMEO TRUCKING LLC ET AL

### **CITATION**

## 172nd JUDICIAL DISTRICT COURT of JEFFERSON COUNTY, TEXAS

To: **BORDELON, ERIC** 

BY SERVING TRYON D LEWIS, TEXAS TRANSPORTATION COMMISSION FORWARD TO ERIC BORDERLON, ROMEO TRUCKING LLC

by serving at:

3901 HARVARD STREET

LAKE CHARLES, LA 70607

**DEFENDANT:** 

#### NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1085 Pearl, Room 203, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and Serve) or by bringing it to the office. The case is presently pending before the 172nd District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 3rd day of December, 2016. It bears cause number E-0199330 and is styled:

Plaintiff:

DONNA KELLAMS

VS.

ROMEO TRUCKING LLC ET AL

Defendant:

The name and address of the attorney for plaintiff (or plaintiff if pro se) is:

LILES, WILLIAM R, Atty.

BANK OF AMERICA 12605 EAST FREEWAY, STE 400

HOUSTON, TX 77015 0

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) AND LETTER DESIGNATING ALL CASES BE EFILED accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 5th day of December, 2016.

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Stuie C. Munuelle

Deputy

January 23, 2017

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Page 1 of 2

Stacie

		RETURN OF S	<u>ERVICE</u>		
E-0199330	172nd JUDICIAL DISTRIC	T COURT			
DONNA KELLAMS					
ROMEO TRUCKING LLC	ETAL				
Executed when copy was	delivered:				
This is a true copy of the	original citation, was delivered	d to defendant		, on the	day of
, 20					
					officer
				, County,	
ADDRESS FOR SERVICE	T		By:		Deputy
BORDELON, ERIC	C.				
•	LEWIS, TEXAS TRANSPORT	ATION COMMIS	SION		
LAKE CHARLES, LA 706	507 0000				
		OFFICER'S R	<u>ETURN</u>		
Came to hand on the	day of				
	, County, Texas by delivering andorsed thereon, together with			1	
Name	Date/Time	n the accompany	C 13	l Distance from Cour	•
Manne	Date/ I fille		riace, Course and	Distance Irom Cour	mouse
And not executed as to the	defendant(s),				
The diligence used in find	ing said defendant(s) being:				
and the cause or failure to	execute this process is:				
and the information receiv	ed as to the whereabouts of said	d defendant(s) bei	ng:		
FEES:					
Serving Petition and Copy	/ <b>\$</b>				
Total	\$			, Officer	
				, County, Texas	
				<del></del>	
			By:	, Deputy	
			Affiant		
COMPLETE IF	YOU ARE A PERSON OTH	ER THAN A SH	ERIFF, CONSTABLE,	OR CLERK OF THE	COURT.
is not required to be verifie	07: The officer of authorized ped. If the return is signed by a principle and contain the following	person other than a	<b>▲</b>	_	
"My name is			h is	, and my address is	
(First, N	Middle, Last)				
(Street, City, Zip) I DECLARE UNDER PEN	VALTY OF PERJURY THAT	THE FORGOING	3 IS TRUE AND CORRI	ECT.	<u> </u>
Evacuted in	County State of	on the	domof		
Executed in	, County, State of	, on the	day of	·	
LIEFFEA	I CERTIFY THIS IS A TRUE CO		Declarant/Authorized Pr	rocess Server	
A Or A	Witness my Hand and Seal of Off	ice			
	January 23, 2017  JAMIE SMITH, DISTRICT CLERK  JEFFERSON COUNTY, TEXAS		(Id # expiration of certifi	ication)	
ARIO * S	Page 2	of 2			

### THE STATE OF TEXAS

No. E-0199330

## DONNA KELLAMS VS. ROMEO TRUCKING LLC ET AL

### **CITATION**

## 172nd JUDICIAL DISTRICT COURT of JEFFERSON COUNTY, TEXAS

To: ROMEO TRUCKING LLC

BY SERVING TRYON D LEWIS, TEXAS TRANSPORTATION COMMISSION FORWARD TO ROMEO TRUCKING LLC

by serving at:

1516 CLOVER DRIVE

LAKE CHARLES, LA 70607

**DEFENDANT:** 

#### NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1085 Pearl, Room 203, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and Serve) or by bringing it to the office. The case is presently pending before the 172nd District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 3rd day of December, 2016. It bears cause number E-0199330 and is styled:

Plaintiff:

DONNA KELLAMS

VS.

ROMEO TRUCKING LLC ET AL

Defendant:

The name and address of the attorney for plaintiff (or plaintiff if pro se) is:

LILES, WILLIAM R, Atty.

BANK OF AMERICA 12605 EAST FREEWAY, STE 400

HOUSTON, TX 77015 0

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) AND LETTER DESIGNATING ALL CASES BE EFILED accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 5th day of December, 2016.

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Stuie C. Munuelle

Deputy

January 23, 2017

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Page 1 of 2

Stacie

	RETURN	OF SERVICE	
E-0199330	172nd JUDICIAL DISTRICT COURT		
DONNA KELLAMS			
ROMEO TRUCKING I	LC ET AL		
Executed when copy w	as delivered:		
This is a true copy of the	he original citation, was delivered to defend	lant	, on the day of
, 20	_·		
			, Officer
		D	, County, Texas
ADDRESS FOR SERV ROMEO TRUCKING I BY SERVING TRYON		By:	, Deputy
LAKE CHARLES, LA 7		R'S RETURN	
Came to hand on the	day of	at o'clock	.m., and executed in
	, County, Texas by delivering to each of		
	ry endorsed thereon, together with the accor		
Name	Date/Time	Place, Course an	d Distance from Courthouse
And not executed as to	the defendant(s),		
The diligence used in f	inding said defendant(s) being:		
and the cause or failure	to execute this process is:		
and the information rec	eived as to the whereabouts of said defendan	t(s) being:	
FEES:			
Serving Petition and C	opy \$		
Total			, Officer
			, County, Texas
		B <b>y</b> :	, Deputy
		A 00%	
		Affiant	
In accordance with Rul is not required to be ver	IF YOU ARE A PERSON OTHER THAN e 107: The officer of authorized person who rified. If the return is signed by a person othe representation of the following statement of the perjury and contain the perjury and cont	serves, or attempts to serve, a carthan a sheriff, constable or the	itation shall sign and return. The signature
(Firs	st, Middle, Last)		
(Street, City, Zip) I DECLARE UNDER I	PENALTY OF PERJURY THAT THE FOR	GOING IS TRUE AND CORR	ECT.
Executed in	, County, State of, on the	ne day of	
AF JE	I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office	Declarant/Authorized P	rocess Server
OF CHERO	January 23, 2017  JAMIE SMITH, DISTRICT CLERK  JEFFERSON COUNTY, TEXAS  Page 2 of 2	(Id # expiration of certif	fication)
	Page 2 of 2		

CITATION

THE STATE OF TEXAS

E-199330

No. E-0199330

## DONNA KELLAMS VS. ROMEO TRUCKING LLC ET AL

### **CITATION**

## 172nd JUDICIAL DISTRICT COURT of JEFFERSON COUNTY, TEXAS

To: BORDELON, ERIC

BY SERVING TRYON D LEWIS, TEXAS TRANSPORTATION COMMISSION FORWARD TO ERIC BORDERLON, ROMEO TRUCKING LLC

by serving at: 3901 HARVARD STREET

LAKE CHARLES, LA 70607

**DEFENDANT:** 

NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file awritten answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1085 Pearl, Room 203, Beaumont, TX 77701, (or of the case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 172nd District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 3rd day of December, 2016. It bears cause number E-0199330 and is styled:

Plaintiff:

VS.

ROMEO TRUCKING LLC ET AL .

DONNA KELLAMS

Defendant:

The name and address of the attorney for plaintiff (of plaintiff if pro se) is:

LILES, WIELIAM R, Atty.

BANK OF AMERICA 12605 EAST FREEWAY, STE 400
HOUSTON, TX: 77015 0

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) AND LETTER DESIGNATING ALL CASES BE EFILED accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 5th day of December, 2016.

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Stuie C. Munuelle

Deputy

CONTRACT COUNTY

I CERTIFY THIS IS A TRUE COPY
Witness my Hand and Seal of Office

January 23, 2017

JAMIE SMITH, DISTRICT CLERK

JEFFERSON COUNTY, TEXAS

Jamie Smith Page 1 of 5

Stacie

		RETURN OF S	ERVICE	
E-0199330	172nd JUDICIAL DISTRIC	CT COURT		
DONNA KELLAMS		•		
ROMEO TRUCKING I	LLCETAL			
Executed when copy v	vas delivered:	:		
· * *	he original citation, was delivere	ed to defendant		, on the day of
, 20		**************************************	<del>enteriorista de la como dela como de la como dela como de la como de la como de la como dela como de la como de la como de la como de la como dela como d</del>	andrian mentendelian nyangan nyapan salah di
				, Officer
			طوم المعادلة المؤسنة المؤسنة من المؤسنة المؤسنة المؤسنة المؤسنة المؤسنة المؤسنة المؤسنة المؤسنة المؤسنة المؤسنة المؤسنة المؤسنة	, County, Texas
			By.	Deputy
ADDRESS FOR SERV	/ICE:		The state of the s	
BORDELON, ERIC				
BY SERVING TRYON	D LEWIS, TEXAS TRANSPORT	TATION COMMIS	SION	
LAKE CHARLES, LA	70607 0000			
		OFFICEN'S R	ETURN	
Came to hand on the	day of	, 20 , at	, o'clock	.m., and executed in
ݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜݜ	, County, Texas by delivering	g to each of the wi	thin named defendants in	person, a true copy of this Citation
with the date of delive	ry endorsed thereon, together wi	th the accompany	ing copy of the Citation at	the following times and places, to-wit
Name	Date/Time		Place, Course and	Distance from Courthouse
		a-seen-appla-a-seseed-a-seen-a-a-a-seed-a-peen-a-seed-a-peen-a-seed-a-peen-a-seed-a-seed-a-seed-a-seed-a-se	and the state of t	
And not executed as to	the defendant(s),			
The dilinaria wead in i	finding said defendant(s) being:	<del>,</del>	and the second s	<del>abe of an animal cane also animal and a sind</del> animal extensive an extensive animal an
ine unigence ascomi	imaing said deichdamas) being.			
entite entre e	<del>na iringalangin na isangbungin nagbungan aga asa</del> a sa	nannan marita kanan marita kanan kanan marita kanan kanan marita kanan kanan marita kanan marita kanan marita k		Marie de la company de la comp
and the cause or failure	e to execute this process is:			
**************************************	<del>na jąka a jena i ina a i jej ini ina kana kana kana kana kana kana k</del>	<del>isintypunganiani kanangan kana</del>		<del>vina a ser a interistrativa de la constata distrata de la constata del la constata de la consta</del>
and the information rec	ceived as to the whereabouts of sai	id defendant(s) bei	ng:	
FEES:	**************************************	a propries de la companya de la comp	<del>anda proportio appendista para proportio de la completa de la completa de la completa de la completa de la comp</del>	<del>ĸĬŖĸĬĸĬĬĬŢĸĬĸĬĸĬĸĸĬĸĬĸĬĸĬĸĬĸĬĸĬĸĬĸĬĸĬĸ</del> ĸĊijijĸĸijijijĸĸij
Serving Petition and C	copy \$			
Total	\$			, Officer
				, County, Texas
			- Company of the Comp	
			By:	, Deputy
				city and a second secon
			Affiant	- Anna Caristian Car
Andrew Colonia and France State and				na akan akan na katak hili na si Taku siana makid da kartakan akka kis i kata bilaka
and the second	IF YOU ARE A PERSON OTH	والمساسات المساوية والمراهد والمساسا والوافيات والمساوية والمالورة والمراورة والمراورة والمراورة والمواورة		the state of the s
·	and the second of the second o	•		tion shall sign and return. The signature lerk of the court, the return shall be
- · · · · · · · · · · · · · · · · · · ·	f perjury and contain the followin	~		TANK THE WATER MICHIEL WATER WATER TO SERVE THE THE PARTY OF THE PARTY
"My name is		**	h is	, and my address is
(First	st, Middle, Last)			
(Street, City, Zip)	***************************************	tokka ji ji ka sa isa sa ji ji ji ka sa ji ji ji ka sa ji ji ka sa	<del>۵. مىداسى جى شەرۇردۇن مەرۇردۇ ئۇدۇنىۋە بەئەرىيە ئېزىكىزى ئۆرۈك ئۆرۈك ئۆرۈك ئۆرۈك ئۆرۈك ئۆرۈك ئۆرۈك ئۆرۈك ئۆرۈك ئۆ</del>	<del>ge</del>
***	PENALTY OF PERJURY THAT	THE FORGOING	J IS TRUE AND CORREC	CT.
Executed in	, County, State of	on the	day of	-da-adrak-in-da-adrak-da-i-parai-pipana-da-da-i-pipana-
			سف سد سه سه سه سه مناسع و در مورد و در	
			Declarant/Authorized Pro	cess Server
IEFFE!	I CERTIFY THIS IS A TRUE CO			
300	Witness my Hand and Seal of Office	ce	(Id # expiration of certific	eation)
3	January 23, 2017		· m ,·	
5	JAMIE SMITH, DISTRICT CLERK			

#### Case 1:17-cv-00031-MAC Document 1-2 Filed 01/23/17 Page 32 of 43 PageID #: 37

### AFFIDAVIT OF SERVICE

Cause No. E-199330

In The District Court of Jefferson County, Texas
172nd Judicial District

DONNA KELLAMS

Plaintiff

VS.

ROMEO TRUCKING LLC and ERIC BORDELON

Defendants

I received this citation on December 13, 2016, at 8:00 a.m.

Executed via certified mail return receipt at Texas Transportation Commission, 125 East 11<sup>th</sup> Street, Austin, Texas 78701 within the County of Travis on December 13, 2016, by delivering to the within named:

ERIC BORDELON, by delivering certified mail return receipt, Article No. 7016 0600 0000 1360 7535 (see green card attached), a true copy of this Citation with Plaintiff's Original Petition, with the date of delivery endorsed thereon by me and informed said person of the contents therein, in compliance with state statutes.

I certify that I am approved by the Supreme Court of Texas, Misc. Docket No. 05-9122 under rule 103, 501 and 501.2 of the TRCP to deliver citations and other notices from any District, County, and Justice Courts in and for the State of Texas. I am competent to make this oath; I am not less than 18 years of age, I am not a party to the above-referenced cause, I have not been convicted of a felony or a crime involving moral turpitude, and I am not interested in the outcome of the above-referenced cause.

By:

David A. Garza Republic Services

4202 Sherwood, Houston, Texas 77092

713.957.0094

Texas Server LIC No. SCH-502

Exp. 7-31-2017

Authorized Physics Fraces Server
TX SERVER LICA SCHOOL



### AFFIDAVIT OF SERVICE FOR CAUSE NO. E-199330

### VERIFICATION

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared **David A. Garza**, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office on this 12/2

Voia CONZAIE C

WOTARY PUBLIC, STATE ORTEXAS

### SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.
- 1. Article Addressed to:



Witness my Hand and Seal of Office

January 23, 2017

2. Article Number 3 June SMITH DISTRICT

### COMPLETE THIS SECTION ON DELIVERY

A. Signaturo

B. Received by Fringe Walter

/ // Wrosse

LJ Agent

D. Is delivered that the fibries below: 17 LI Ves
If YES, enter delivery address below: [] No

3. Service Type

C Adult Signature

Li Adult Signature Restricted Delivery

W Certified Mail®

Cortified Mail Restricted Delivery

C Collect on Delivery

Collect on Delivery Restricted Delivery

insured Mail

Insured Mail Restricted Delivery (over \$500) C) Priority Mail Express®

☐ Registered Mail™

Delivery

Delivery

W Return Receipt for Merchandise

CI Signature Confirmation™

CI Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

CITATION

THE STATE OF TEXAS

E-199330

No. E-0199330

DONNA KELLAMS
VS. ROMEO TRUCKING LLC ET AL

### **CITATION**

## 172nd JUDICIAL DISTRICT COURT of JEFFERSON COUNTY, TEXAS

To: ROMEO TRUCKING LLC

BY SERVING TRYON D LEWIS, TEXAS TRANSPORTATION COMMISSION FORWARD TO ROMEO TRUCKING LLC

by serving at: 1516 CLOVER DRIVE

LAKE CHARLES, LA 70607

**DEFENDANT:** 

NOTICE:

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Said answer may be filed by mailing same to: District Clerk's Office, 1085 Pearl, Room 203, Beaumont, TX 77701, (or if the case is designated as an E-file case, E-file through Lexis Nexis file and serve) or by bringing it to the office. The case is presently pending before the 172nd District Court of Jefferson County sitting in Beaumont, Texas, and was filed on the 3rd day of December, 2016. It bears cause number E-0199330 and is styled:

Plaintiff.

VS.

ROMEO TRUCKING LECET AL

DONNA KELLAMS

Defendant:

The name and address of the attorney for plaintiff (or plaintiff if pro se) 18:

LILES, WILLIAM R, Atty.

BANK OF AMERICA 12605 EAST FREEWAY, STE 400

HOUSTON, TX. 77015 0

The nature of the demands of said plaintiff is shown by a true and correct copy of Plaintiff's PETITION (PLAINTIFF'S ORIGINAL) AND LETTER DESIGNATING ALL CASES BE EFILED accompanying this citation and made a part thereof.

Issued under my hand and the seal of said court, at Beaumont, Texas, this the 5th day of December, 2016.

JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS

Stuie C. Munuelle

Deputy

SEFFERSON COUNTY

I CERTIFY THIS IS A TRUE COPY
Witness my Hand and Seal of Office

January 23, 2017

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith Page of 5

Stacie

		RETURN OF SEI	CVICE		
E-0199330	172nd JUDICIAL DISTR	ICT COURT			
DONNA KELLAMS					
ROMEO TRUCKING LL	CETAL				
Executed when copy was	•				
	e original citation, was deliver	red to defendant		, on the	day of
. 20		ing in the state of the state o	efterioret europeatura europiaite efterioret et abandunum europeaturum europeaturum europeaturum europiais pia	species in del più più del più a conies metrum mest numi instruttris menun sidat fori men	- Contraction of the Contraction
in the manner of many manipus and any in the following of the state of				, (	)fficer
			description of the second selection of the second s	, County	, Texas
	·		By:	interintation interintation interintation interintation in the second in the second interior in the second in the second interior in the second in the second in the second interior in the second in the sec	Deputy
ADDRESS FOR SERVIO			المهلات المستقدم والمستقدم المستقدم الم	. پهميند نيوه انونوسونو بينيو د موند په سيد موند په د په په د په په د په د په د په په د په په د په په د په په د په په پ	
ROMEO TRUCKING LL	:				
BY SERVING TRYON D	LEWIS, TEXAS TRANSPOR	TATION COMMISSI	ON		
LAKE CHARLES, LA 70	607 0000				
	· :	OFFICER'S RET	<u>URN</u>		
Came to hand on the	day of	atat	o'clock	.m., and executed i	
and the state of the same	County, Texas by delivering	The state of the s			•
· · · · · · · · · · · · · · · · · · ·	endorsed thereon, together w	un inc accompanying			· · · · · · · · · · · · · · · · · · ·
Name	Date/Time		Place, Course a	nd Distance from Cour	anouse
And not executed as to the	ra dafandantia)	<del>ڝڟڎڎۄ؈ڰ</del> ۄ؞ۦڝڛۺ؞ڝڛڛ؈ڝڛ؞؋ڝٷۺڋڿؿۺۺڋٷؿؽڡڞڎٷ؞ڽڎ؞ڹڿٵڿؿڝ؞ؿٷٷڿڹڿؽؠٷڿڎ؞ۼٷڿڎۼٷڞٷٷڰٷڰٷ		والإهلام والمراوا والم	ۻڗڿڿڿڿڿڿڿڿڿڿڿڿڿڿڿڿڿڿڿڿڮڞڿڮڿڿڿڿڿڿڿؿڿؿٷ <del>ڿٷڿٷڿٷڿٷڿٷڿٷڿٷڿٷڿٷڿ</del>
	Verna anna a canta anna atoma annata a	enganarayaanangaganaray hangan memmenen ne memenen kenamenen ne memmenen ne memmenen kenamenen kenamen kenamen	<del>ਫ਼ਫ਼ੑਖ਼ੑਖ਼ਫ਼</del>		
The diligence used in fin	iding said defendant(s) being				
aperante retransiani, principali anti principali anti proporti, principali anti principali di descripto de l'a	nanda anan mangang ang ining ing manggapang panggapang ang ing ing ing ing ing ing ing ing ing i	<del>alianta anunta utaa</del> tati <del>ataa artaatailipeetti jaan</del> eetina makkainin kontenparaanan makkin minna			والمعارفة
and the cause or failure to	o execute this process is:				
<del>Vertesta in territoria de la contractiva del la contractiva del la contractiva de la contractiva de la contractiva del la contractiva de la contractiva del la contr</del>		<del>Parantes de la composition della composition de</del>	ingerierakon erren errinaisko antario kontro kontro kalendo kalendo kalendo kalendo kalendo kalendo kalendo ka Kalendo kalendo kalend		maissin and the second and the secon
and the information recei	ived as to the whereabouts of sa	aid defendant(s) being	s; s-		
	<del>ૻૺઌૺૼઌૼ૽૽૽૽ૺઌ૽૽૽૽૽૽૽૽૱૱ઌ૽૽ઌઌ૽ઌ૽૽ઌ૽ઌ૽૽ઌ૽ઌઌઌઌઌઌઌઌ</del>	<del></del>	<del>na dia mandria ny kaominina dia kaominina dia kaominina dia kaominina dia kaominina dia kaominina dia kaomini</del>	<del>Lipotego julia de la caractera de la caracter</del>	
FEES:	<del>la de la composition della co</del>	<del>ning sing ning to the the transport and the state of the</del>	terneten in er vertregen generalen en de generalen de generalen generalen en en ingegen de gelekking fijkkrit	~ <u>````</u>	-an-iniga-adhe)aga-an-ipleigo-falo-aga-a-sam-a-inlei-a-un-a-ne-
Serving Petition and Cor	y \$	<del>nande de la completa de la completa de la completa de la completa de la co</del> ntraction de la completa del la completa de la completa del la completa de la completa del la completa del la completa della	<del>na dan mangangan ng mangan ng pangangan ng pangangan na pangan na kanangan na kanangan na kanangan na pangan n</del>		ran kiniga padhalipupa an ingga jambilan papul an Gastra an India an India an India
				. Officer	-an inija palejuga in glejodalejudak e sake epoki e in e e pe
Serving Petition and Cor				Officer , County, Texas	-antinia.adlejuga anglejugake agar sunki sune se
Serving Petition and Cor	S.			, County, Texas	
Serving Petition and Cor	S.			na-cadosca-politoca-parieta-para-politoca-polito	
Serving Petition and Cor		ينونه والمراجعة المراجعة المرا		, County, Texas	
Serving Petition and Cor		ينونه والمراجعة المراجعة المرا	ffant	, County, Texas	
Serving Petition and Cor Total  COMPLETE IF	YOU ARE A PERSON OT	HER THAN A SHE	ffiant	County, Texas Deputy  C. OR CLERK OF THE	
Serving Petition and Cor Total  COMPLETE III In accordance with Rule	YOU ARE A PERSON OT  107: The officer of authorized	HER THAN A SHE person who serves, or	ffiant  UFF, CONSTABLE  attempts to serve, a	County, Texas  Deputy  OR CLERK OF THE  citation shall sign and re	lum. The signature
COMPLETE II In accordance with Rule is not required to be verif	S  YOU ARE A PERSON OT  107: The officer of authorized  ied. If the return is signed by a	HER THAN A SHE person who serves, or person other than a s	ffiant  UFF, CONSTABLE  attempts to serve, a	County, Texas  Deputy  OR CLERK OF THE  citation shall sign and re	lum. The signature
COMPLETE II In accordance with Rule is not required to be verificiated under penalty of p "My name is	YOU ARE A PERSON OT 107: The officer of authorized fied. If the return is signed by a verjury and contain the follows:	HER THAN A SHE person who serves, or person other than a s	ffiant  UFF, CONSTABLE  attempts to serve, a heriff, constable or the	County, Texas  Deputy  OR CLERK OF THE  citation shall sign and re	turn. The signature return shall be
COMPLETE II In accordance with Rule is not required to be verificiated under penalty of p "My name is	S  YOU ARE A PERSON OT  107: The officer of authorized  ied. If the return is signed by a	HER THAN A SHE person who serves, or person other than a s ng statement:	ffiant  UFF, CONSTABLE  attempts to serve, a heriff, constable or the	County, Texas  Deputy  County, Deputy  Citation shall sign and researched the court, the	turn. The signature return shall be
COMPLETE II In accordance with Rule is not required to be veriful signed under penalty of power of the complete is many of the complete in the complete is many or the complete in the complete in the complete is many or the complete in the com	YOU ARE A PERSON OT 107: The officer of authorized fied. If the return is signed by a verjury and contain the follows:	HER THAN A SHE person who serves, or person other than a s ng statement:	ffiant  UFF, CONSTABLE  attempts to serve, a heriff, constable or the	County, Texas  Deputy  County, Deputy  Citation shall sign and researched the court, the	turn. The signature return shall be
COMPLETE II In accordance with Rule is not required to be verificiated under penalty of position of the contract of the contra	YOU ARE A PERSON OT 107: The officer of authorized fied. If the return is signed by a verjury and contain the follows:	HER THAN A SHE person who serves, or person other than a s ng statement: , my date of birth i	ffiant  UFF, CONSTABLE  attempts to serve, a heriff, constable or the	County, Texas  Deputy  County, Deputy  Citation shall sign and researched the court, the and my address is	turn. The signature return shall be
COMPLETE II In accordance with Rule is not required to be veriful signed under penalty of power of the complete is a contract of the contract	YOU ARE A PERSON OT 107: The officer of authorized fied. If the return is signed by a verjury and contain the following Middle, Last)	HER THAN A SHE person who serves, of person other than a s ng statement:, my date of birth i	ffiant  UFF, CONSTABLE  attempts to serve, a heriff, constable or the	County, Texas  Deputy  County, Deputy  Citation shall sign and researched the court, the and my address is	turn. The signature return shall be
COMPLETE IN In accordance with Rule is not required to be verif signed under penalty of p "My name is  (First,  (Street, City, Zip) I DECLARE UNDER PE	YOU ARE A PERSON OT 107: The officer of authorized fied. If the return is signed by a critical and contain the following Middle, Last)  ENALTY OF PERJURY THA	HER THAN A SHE person who serves, of person other than a s ng statement:, my date of birth i	ffiant  RIFF, CONSTABLE  attempts to serve, a heriff, constable or the serve of the	County, Texas  Deputy  County, Deputy  Citation shall sign and researched the court, the and my address is	turn. The signature return shall be
COMPLETE IN In accordance with Rule is not required to be verif signed under penalty of p "My name is  (First,  (Street, City, Zip) I DECLARE UNDER PE	YOU ARE A PERSON OT 107: The officer of authorized fied. If the return is signed by a critical and contain the following Middle, Last)  ENALTY OF PERJURY THA	HER THAN A SHE person who serves, or person other than a sing statement:  THE FORGOING I  on the	figant  RIFF, CONSTABLE attempts to serve, a heriff, constable or the service of	County, Texas  Deputy  L. OR CLERK OF THI  Citation shall sign and re te clerk of the court, the and my address is	turn. The signature return shall be
COMPLETE IN In accordance with Rule is not required to be verif signed under penalty of p "My name is  (First,  (Street, City, Zip) I DECLARE UNDER PE	YOU ARE A PERSON OT 107: The officer of authorized fied. If the return is signed by a critical and contain the following Middle, Last)  ENALTY OF PERJURY THA	HER THAN A SHE person who serves, or person other than a sing statement:  THE FORGOING I  on the	ffiant  RIFF, CONSTABLE  attempts to serve, a heriff, constable or the serve of the	County, Texas  Deputy  L. OR CLERK OF THI  Citation shall sign and re te clerk of the court, the and my address is	turn. The signature return shall be
COMPLETE IN In accordance with Rule is not required to be verificated under penalty of p "My name is (First,  (Street, City, Zip) I DECLARE UNDER PE Executed in	YOU ARE A PERSON OT 107: The officer of authorized fied. If the return is signed by serjury and contain the following Middle, Last)  ENALTY OF PERJURY THA, County, State of	HER THAN A SHE person who serves, or person other than a sing statement:  THE FORGOING I  on the	ffiant  UFF, CONSTABLE attempts to serve, a heriff, constable or the serve of day of eclarant/Authorized	County, Texas  , Deputy  , Deputy  citation shall sign and reserved of the court, the  and my address is  RECT.  Process Server	turn. The signature return shall be
COMPLETE IN In accordance with Rule is not required to be verificated under penalty of p "My name is (First,  (Street, City, Zip) I DECLARE UNDER PE Executed in	YOU ARE A PERSON OT 107: The officer of authorized fied. If the return is signed by a perjury and contain the following Middle, Last)  ENALTY OF PERJURY THA  , County, State of  I CERTIFY THIS IS A TRUE CO	HER THAN A SHE person who serves, or person other than a sing statement:  THE FORGOING I  on the	figant  RIFF, CONSTABLE attempts to serve, a heriff, constable or the service of	County, Texas  , Deputy  , Deputy  citation shall sign and reserved of the court, the  and my address is  RECT.  Process Server	turn. The signature return shall be
COMPLETE II In accordance with Rule is not required to be verif signed under penalty of p "My name is (First,  (Street, City, Zip) I DECLARE UNDER PE Executed in	YOU ARE A PERSON OT 107: The officer of authorized fied. If the return is signed by a perjury and contain the following Middle, Last)  ENALTY OF PERJURY THA  , County, State of  January 23, 2017  January 23, 2017  JAMIE SMITH, DISTRICT CLERK	HER THAN A SHE person who serves, or person other than a sing statement:  THE FORGOING I  on the	ffiant  UFF, CONSTABLE attempts to serve, a heriff, constable or the serve of day of eclarant/Authorized	County, Texas  , Deputy  , Deputy  citation shall sign and reserved of the court, the  and my address is  RECT.  Process Server	turn. The signature return shall be
COMPLETE IN In accordance with Rule is not required to be verificated under penalty of p "My name is  (First,  (Street, City, Zip) I DECLARE UNDER PE Executed in	S  S  YOU ARE A PERSON OT  107: The officer of authorized fied. If the return is signed by a serjury and contain the following Middle, Last)  ENALTY OF PERJURY THA  , County, State of  January 23, 2017  January 23, 2017  JAMIE SMITH, DISTRICT CLERK JEFFERSON COUNTY, TEXAS	HER THAN A SHE person who serves, or person other than a sing statement:  THE FORGOING I  on the	ffiant  UFF, CONSTABLE attempts to serve, a heriff, constable or the serve of day of eclarant/Authorized	County, Texas  , Deputy  , Deputy  citation shall sign and reserved of the court, the  and my address is  RECT.  Process Server	turn. The signature return shall be

Case 1:17-cv-00031-MAC Document 1-2 Filed 01/23/17 Page 38 of 43 PageID #: 43

### AFFIDAVIT OF SERVICE

Cause No. E-199330

In The District Court of Jefferson County, Texas
172nd Judicial District

DONNA KELLAMS

Plaintiff

VS.

ROMEO TRUCKING LLC and ERID BORDELON

Defendant

I received this citation on December 13, 2016, at 8:00 a.m.

Executed via certified mail return receipt at Texas Transportation Commission, 125 East 11<sup>th</sup> Street, Austin, Texas 78701 within the County of Travis on December 13, 2016, by delivering to the within named:

ROMEO TRUCKING LLC, by delivering certified mail return receipt, Article No. 7016 0600 0000 1360 4787 (see green card attached), a true copy of this Citation with Plaintiff's Original Petition, with the date of delivery endorsed thereon by me and informed said person of the contents therein, in compliance with state statutes.

TRCP to deliver citations and other notices from any District, County, and Justice Courts in and for the State of Texas. I am competent to make this oath; I am not less than 18 years of age, I am not a party to the above-referenced cause, I have not been convicted of a felony or a crime involving moral turpitude, and I am not interested in the outcome of the above-referenced cause.

By:

David A. Garza

Republic Services

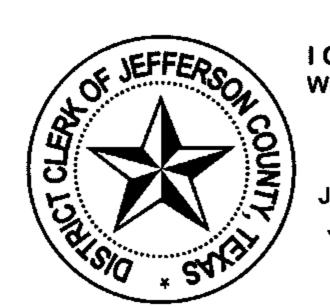
4202 Sherwood, Houston, Texas 77092

713.957.0094

Texas Server LIC No. SCH-502

Exp. 7-31-2017

DAVID A GARZA
Authorized Private Process Server
TX SERVER LICH SCH-502
Exp 7-31-2017



I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

January 23, 2017

JAMIE SMITH, DISTRICT CLERK
JEFFERSON COUNTY, TEXAS

Jamie Smith Page 3 of 5

### AFFIDAVIT OF SERVICE FOR CAUSE NO. E-199330

### **VERIFICATION**

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared **David A. Garza**, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office on this

LOREN N. GONZALES

Notary Public, State of Texas

Comm. Explos 12-28-2020

Notary D. 12-6745 139

MOTARY PUBLIC, STATE OF TEXAS



I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

January 23, 2017

JAMIE SMITH, DISTRICT CLERK

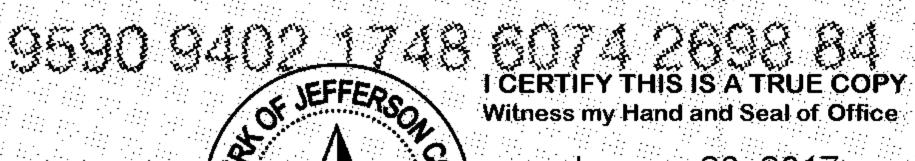
JEFFERSON COUNTY, TEXAS

Jamie Smith Page 4 of 5

### SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- M Attach this card to the back of the mailpiece, or on the front if space permits.
- 1. Article Addressed to:

KOMPOTYUCKINALL TWOLLAND and a man



January 23, 2017

2. Article Number TO PANIES MITHER DISTRICT CLERK

### COMPLETE THIS SECTION ON DELIVERY

A. Signature

LJ Yes If YES, enter delivery address below:

I No

- 3. Service Type
- D Adult Signature
- C Adult Signature Restricted Delivery
- M Certified Mail®
- ☐ Certified Mail Restricted Delivery
- Collect on Delivery
- Cl Collect on Delivery Restricted Delivery insured Mail nsured Mail Hestricted Delivery

over \$500)

- D Priority Mail Expression
- LI Registered Mail\*\*
- IJ Registered Mail Restricted Delivery
- 20 Return Receipt for Merchandise
- ☐ Signature Confirmation™
- Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

RECEIPT 1301Rv-00031-MACED Gum St 1-2 Filed 01/23/17 Page 42 of 43 PageID #: 47

E-FILING

Cause No: E-0199330 Date: 12/29/16 Receipt No: 367435

Style: DONNA KELLAMS

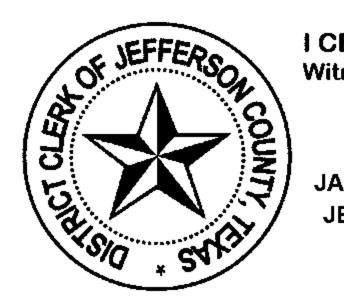
vs ROMEO TRUCKING LLC ET AL

Paid By: LILES, WILLIAM R

Amt Paid: Bal Due:

JAMIE SMITH, CLERK DISTRICT COURTS Jefferson County, Texas

By:				
ODBC	Deputy			



I CERTIFY THIS IS A TRUE COPY Witness my Hand and Seal of Office

January 23, 2017

JAMIE SMITH, DISTRICT CLERK

JEFFERSON COUNTY, TEXAS

Page 1 of 1